

LYNDON CITY COUNCIL  
REGULAR MEETING MINUTES OF  
July 5, 2016

The Lyndon City Council met in regular session on Monday, July 5, 2016, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Cole called the meeting to order.

- a) City Clerk called roll of the City Council. Members Doug Watson, Bill Patterson and Steve Morrison present.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; David Wilson, Maintenance Supervisor; and Darrel Manning, Chief of Police/ Planning & Zoning Administrator.

Others present: Rita Clary, Kansas Rural Water Association; Bruce Boettcher, BG Consultants (8:00 p.m.), Ryan Kuhn, Osage Herald Chronicle; Russell Swanson, Public Wholesale Water Supply District #12.

2. ADOPTION OF MINUTES OF PREVIOUS MEETINGS:

- a) Patterson made the motion to approve the Regular Meeting minutes of June 6, 2016 as written. Morrison seconded, motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Watson made the motion to approve the bills as set forth. Patterson seconded, motion carried.

4. PUBLIC COMMENTS: None.

5. CORRESPONDENCE TO COUNCIL:

- PWWSD #12 Regular Meeting minutes of June 15, 2016.
- Pledge of securities from Lyndon State Bank as of May 31, 2016.
- June 2016 edition of the Kansas Government Journal.

6. UNFINISHED BUSINESS:

- a) SEWER PLANT IMPROVEMENTS/KIAC MEETING UPDATE: Bruce Boettcher with BG Consultants provided the Council a copy of the City's funding options and timeline for the sewer plant and collections system improvement project. He briefly discussed the KIAC meeting held on June 28, 2016 at the Curtis Building in Topeka with USDA, CDBG and KDHE representatives as well as city staff, Rita Clary with KRWA and grant writer Garrett Holdstrom with Governmental Assistance Services. Mr. Boettcher reviewed the proposed scope of work with Council as being non-discharging lagoons with new lift stations and force mains and the recommendation of collection system improvements.

Mr. Boettcher stated the City would need to finalize the scope of the project and publish the notice of public hearing by September 1, hold the public hearing by September 15, and submit the grant application by September 30, 2016.

Mr. Boettcher stated there have been conversations with landowners and requested an executive session to discuss that progress (see executive session). He stated if the City does purchase a property, there are certain funding agencies that are able to provide funding for the purchase and discussed those with Council.

Mayor Cole asked about obtaining temporary financing and Rita Clary with KRWA stated that the process is already underway through KDHE and the paperwork is ready for Council to approve and sign.

Mr. Boettcher reviewed the Funding Option A without collection system improvements and Funding Option B with collection system improvements and the estimated cost per user based on 5,000 gallons of use. The engineer's recommendation was Alternate 3D Non-discharging lagoon with wetlands including the collection system improvement. If the City choose Funding Option B it qualifies the project for KDHE loan forgiveness at a significant amount, however, the rate per user would increase. A lengthy discussion continued in regards to longevity of a lagoon system and future maintenance costs.

Patterson asked when the City could anticipate hearing back about the grant application after submission. Mr. Boettcher stated it would be about mid January before they would release grant awards. Mr. Boettcher also suggested raising the rate some to build reserves for incidental costs. He stated the first payment on the project starts one year after the project cost is final and would be approximately October 2019. Rita Clary stated the City may have to pay interest costs on the temporary financing and that will affect the 2018 budget.

Mr. Boettcher suggested holding a public meeting to present the sewer project to residents and hold discussions. After further discussion, it was consensus of the Council to hold the Town Hall meeting on Saturday, July 16, 2016 at 9 a.m. at the Lyndon Community Center. The notice of the meetings will be put on the utility bills, the City's Facebook and flyers around town.

Mr. Boettcher asked for authorization from the City to coordinate land appraisals if the options to purchase property are complete. Patterson made the motion to authorize the City engineer to coordinate appraisals of the potential properties. Watson seconded, motion carried.

Council received a copy of Resolution No. 2016-3 prepared by Rita Clary with KRWA. The resolution recognizes the Mayor as the authorizing representative on behalf of the City for the application pertaining to the Sanitary Sewer Treatment Facility and Collection System Rehabilitation project. Patterson

made the motion to approve the Resolution 2016-3 and authorized the City Clerk to sign. Watson seconded, motion carried.

- b) LETTER OF INTEREST FOR COUNCIL SEAT: The City Clerk stated the City received a letter of interest for one of the open Council seats. The Mayor discussed the process of appointing a new council member for the unfinished term and after further discussion, it was consensus of the Council to table the matter until the Mayor could meet and visit with the candidate.
- c) REZONING OF LOT ON 6TH STREET FROM R-1 TO C-2: The Zoning Administrator stated a hearing was held on June 29, 2016 and no one showed to speak for or against the rezoning request. The members of the commission discussed rezoning of the property and at the conclusion of the meeting, voted to approve the request and notify Council that they are in favor of rezoning the property to R-2. The Council tabled the matter to give the City Attorney time review the procedures to rezone property and prepare the ordinance for Council approval.

#### 7. NEW BUSINESS:

- a) PWWSD#12: Russell Swanson, Lyndon's representative with PWWSD#12 stated the auditor attended their last meeting and discussed the need to increase rates by approximately forty cents per thousand that will take effect by the first of the year. He stated water use is down, they are waiting to see how much water RWD #6 is going to purchase when they go online before setting the increase, and could be less than the anticipated forty cents. The City Attorney asked Mr. Swanson when PWWSD#12 would notify the City of the rate increase and Mr. Swanson stated it would be after the first of the year. Mr. Swanson provided the Council a copy of PWWSD#12 audit and noted that the current rates and low usage is not covering debt service. Rita Clary with KRWA stated they could help the City and perform a water rate analysis at no cost and it was consensus of the Council to proceed with the analysis.
- b) APPOINTMENTS: The Council received a copy of the Mayoral appointments for review. Mayor Cole asked for a motion to approve appointments as listed (see attached sheet). Patterson made the motion to approve the 2016 Mayoral appointments with the one correction. Watson seconded, motion carried.
- c) FEMA/KDEM - MAY FLOOD: The City Clerk provided Council a copy of the damage estimates provided to FEMA for the flooding in April and May. She stated the regulations for roads are more strict than it has been in the past and the City has to prove the road condition before the flood in order to include it. Five sites were initially submitted to FEMA that included: Site 1 - Lyndon Community Center, Site 2 - road on Washington to 2<sup>nd</sup>, 2<sup>nd</sup> to Topeka, Site 3 - road on 2nd from Topeka to Ash, Site 4 - W 10<sup>th</sup> Bridge to Corner of Jackson and Site 5 - road on the corner of 8<sup>th</sup> Street north on Gum to City Limits. After a lengthy discussion with Patrick Carnahan with FEMA, only sites one and two

were included in the final submission. The City Clerk stated that FEMA would only reimburse the insurance deductible, labor and some of the roadwork costs.

- d) 2017 BUDGET: The City Clerk discussed the budget timeframe with Council. She stated due to the possibility of not having a quorum on July 18, a special meeting needs to be held the week of July 25 to discuss the budget. The public hearing for the budget has to be held by August 15 and due to the 10-day notification period, the notice of budget hearing has to be in the paper by August 4. The City Clerk stated the August 15 hearings for the budget would be at 6:30 p.m. for the amended 2016 budget and 6:45 for the 2017 budget.

The Council held a lengthy discussion about July meetings and came to a consensus on the following meeting dates:

- Monday, July 11, 2016 at 7 p.m. for special meeting for the audit presentation and appoint council seats.
- Cancel the regular meeting for Monday, July 18, 2016 due to the possibility of lack of quorum.
- Special meeting on July 25, 2016 at 7 p.m. for budget presentations.

Rita Clary with KRWA also reminded the Council a public hearing for the KDHE loan application and needs to know when she needs to get that published. She stated there is a 15-day waiting period and inquired about having that hearing on August 1 or August 15. It was noted that the City is already having two hearings on the budget at the August 15 meeting. After further discussion with Ms. Clary, it was consensus of the Council to wait and hold the hearings for the KDHE and CDBG applications at the same time.

- e) LYNDON SIGNS: The Maintenance Supervisor provided Council with three design proofs from Knox signs for the welcome sign south of town and the city park sign discussed in the previous council meeting. He discussed briefly sign details and the cost to replace each sign. After further discussion, it was consensus of the Council to continue to work on the sign proofs and complete the sign project in the spring of 2017.

#### 8. STAFF REPORTS:

- a) POLICE: The Council received a copy of the Officer Activity report.
- b) PLANNING AND ZONING: Planning and Zoning held a hearing on June 29, 2016 at 6:30 p.m. for Jeff Clark's property on West 6th street. The Zoning board voted in favor of the rezoning of the property from a C-2 to an R-1.
- c) PUBLIC WORKS: Council received a copy of the Maintenance Activity report.

Patterson asked about the ballpark lighting issues at Jones Park. The Maintenance Supervisor briefly discussed the issues with Council.

The Maintenance Supervisor stated there is also a breaker problem at the sewer plant and has an electrician scheduled to be in town by Thursday or Friday.

- d) CITY CLERK: The City Clerk provided Council with the Clerk's report and discussed it with Council.

Devin Chapman contacted the City about providing a fitness program at Jones Park called Stroller Moms and briefly discussed it with Council.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Patterson thanked the city staff and personnel for another successful 4th of July celebration.

Mayor Cole stated more groups are working together and helping each other with events such as the Pride helping with the LUMC Car Show and then the Methodist Church in turned helped with the games at the July 4th celebrations and hopes it continues.

10. EXECUTIVE SESSION:

Morrison made the motion to recess to executive session for 20 minutes for discussion prior to the acquisition of real estate with the City Attorney, Bruce Boettcher and Rita Clary attending. Watson seconded, motion carried. Council reconvened with Morrison made the motion to authorize the Mayor to sign Option Agreements #1 and #2. Patterson seconded, motion carried.

Patterson made the motion to recess to executive session for 10 minutes for non-elected personnel with the City Attorney and City Clerk attending. Morrison seconded, motion carried. Council reconvened with Patterson making the motion to hire Nicole Baker as a lifeguard at the city pool with the pay rate of \$7.25 per hour. Morrison seconded, motion carried.

11. ADJOURNMENT: Morrison made the motion to adjourn to Monday, July 11 2016, at 7:00 p.m. for the special meeting. Watson seconded, motion carried.

  
City Clerk